

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492  
Case No. 13-cv-09116

Judge John Z. Lee

Magistrate Judge Brown

**JOINT MOTION FOR ENTRY OF REVISED SCHEDULE**

The Settlement Class Representatives and Defendant National Collegiate Athletic Association (“NCAA,” and together with Settlement Class Representatives, the “Parties”) respectfully request that the Court enter a revised schedule for the consideration of final approval of the Second Amended Class Action Settlement Agreement and Release, any objections thereto, and any requests for payment of attorneys’ fees and costs.<sup>1</sup> In support thereof, the Parties state as follows:

1. On September 29, 2017, the Notice Administrator filed the Declaration of Rachel Christman Regarding Dissemination of Direct Notice (Dkt. 470), representing that the mailing of direct notice had been completed as of August 9, 2017. The Notice Administrator represented that it mailed postcards to 3,808,577 Class Members and sent email notices to 1,899,635 Class Members (approximately 1,639,470 of which were also mailed postcards) representing outreach to approximately 4,068,742 unique Class Members.

2. Since that time, the Notice Administrator has been working to transition the class member database to the Program Administrator. However, during the course of transitioning the

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<sup>1</sup> Unless otherwise defined, capitalized terms have the meaning ascribed to them in the Second Amended Settlement Agreement, which is Exhibit 1 to the joint motion for preliminary approval filed with the Court on May 20, 2016. *See* Second Am. Settlement Agt. (Dkt. #266-1).

data, the Notice Administrator discovered that it inadvertently did not mail the postcard notice to approximately 10,000 additional Settlement Class Members (“Residual Group”). The Notice Administrator notified Class Counsel on Friday, October 27, 2017.

3. The Notice Administrator has represented that, once the Court has set a new schedule, the postcard notice will be mailed to the Residual Group approximately one week later.

4. Accordingly, the Parties propose that the deadlines set forth in the Court’s August 1, 2017 Order (Dkt. 432) be revised as follows:

Action	Date Set Forth in August 1, 2017 Minute Entry	Proposed New Date (based on a projected order dated November 7, 2017)
Postcard Notices mailed to Residual Group	Not addressed	By November 14, 2017
Deadline for Settlement Class Members <i>in the Residual Group</i> to object to or opt out of the Settlement	September 15, 2017	January 16, 2018
Deadline for any objections or responses to the petitions for attorneys’ fees and costs by Settlement Class Members <i>in the Residual Group</i>	September 15, 2017	January 16, 2018
Notice Administrator shall file with the Court the amended Opt-Out List with an affidavit attesting to the completeness and accuracy thereof	September 29, 2017	January 30, 2018
Notice Administrator shall file an amended declaration with the Court concerning implementation of the Notice program and other terms of the Settlement	September 29, 2017	January 30, 2018

Action	Date Set Forth in August 1, 2017 Minute Entry	Proposed New Date (based on a projected order dated November 7, 2017)
Deadline for filing supplement to the Motion for Final Approval of the Settlement, or to otherwise respond to objections. <i>These filings will solely address objections made by the Residual Group.</i>	September 29, 2017	January 30, 2018
Fairness Hearing	November 28, 2017	At the Court's convenience on or after January 31, 2018

WHEREFORE, the Settlement Class Representatives and NCAA respectfully request that the Court enter the revised schedule, and any further relief the Court deems appropriate.

Dated: November 2, 2017

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Steve W. Berman

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on November 2, 2017, a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: /s/ Steve W. Berman  
Steve W. Berman